

In re Appln. of: James J. Barnat et al.
Application No.: 09/873,800

mechanism extending substantially between the front and rear ends for transporting aggregate material rearwardly toward the discharge port;

an asphalt binder material dispensing system carried by the vehicle separate from the aggregate material system such that asphalt binder material and aggregate material are not mixed prior to aggregate material being dispensed through the discharge port, the asphalt binder material dispensing system adapted to hold a supply of asphalt binder material, the asphalt binder material dispensing system including a sprayer having a spray bar with a plurality of nozzles, the spray bar adapted to spray asphalt binder material through the nozzles behind the wheels; and

wherein all of the wheels roll on the ground surface between the spray bar and the front end such that no wheels roll over asphalt binder material and aggregate material that are discharged by the spray bar and through the discharge port.

Delete the following claims:

26-37.

Add the following claims:

71. (New) The roadway paving apparatus of claim 1 wherein the roadway paving apparatus is free of spreading apparatus behind the discharge port.

72. (New) The roadway paving apparatus of claim 60 wherein the roadway paving apparatus is free of spreading apparatus behind the discharge port.

REMARKS

The Office Action dated August 12, 2002 has been carefully considered. In the Office Action, claims 26-37 were withdrawn from consideration pursuant to a restriction requirement. Claims 1-17, 21, 23-25, 38-52 and 60-70 stand rejected. The Patent Examiner has indicated that claims 18-20, 22 and 53-55 include allowable subject matter.